

Attorney Docket No.: Noxtech-01B

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Sudduth, et al )  
Serial No.: 09/211,879 )  
Filed: December 14, 1998 ) Examiner: Vanoy, T  
For: APPARATUS AND METHOD FOR ) Group Art Unit: 1764  
REDUCING NOX FROM )  
EXHAUST GASES PRODUCED )  
BY INDUSTRIAL PROCESSES )

Assistant Commissioner for Patents  
Washington, D.C. 20231

TERMINAL DISCLAIMER

Sir:

The owner, NoxTech, Inc., of the entire right, title and interest of Application No. 08/742,769 and the above-captioned Application No. 09/211,879, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of Application No. 08/742,769. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent so granted on Application No. 08/742,769 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

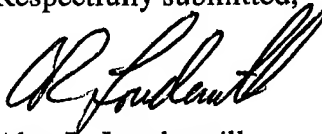
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154-156 and 173 of a patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned represents that he is the Attorney of record for Application No.

09/211,879.

Respectfully submitted,



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I hereby certify that the foregoing is being transmitted via facsimile to the Assistant Commissioner for Patents, this 11 day of June, 1999.

